GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:262
ANSWERED ON:17.12.2015
Judicial Reforms
Kothapalli Smt. Geetha

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government has taken note of huge pendency of cases in the Supreme Court, High Courts and Subordinate Courts, if so, the reaction of the Government thereto;
(b) whether the Government proposes to bring reforms in the Judiciary, including transparency and accountability of advocates towards litigants, if so, the details thereof;
(c) whether the Government also proposes to introduce any Bill for Judicial reforms if so, the details and the present status thereof; and
(d) the steps taken / being taken by the Government to unleash judicial reforms and ensure accountability and transparency in judicial administration in the country?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI D. V. SADANANDA GOWDA)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) of LOK SABHA STARRED QUESTION NO. *262 FOR ANSWER ON 17TH DECEMBER, 2015.

National Mission for Justice Delivery and Legal Reforms was set up with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration which, inter-alia, involves better infrastructure for courts including computerization, increase in manpower strength of judiciary, suggesting policy and legislative measures in the areas prone to excessive litigation, recommending re-engineering of court procedure for quick disposal of cases and emphasis on human resource development. On account of concerted efforts made by the stakeholders, the increasing trend of pendency of cases in the Supreme Court, High Courts and District & Subordinate courts has been checked. A Statement indicating comparative position of pendency of cases in the Supreme Court, High Courts and Subordinate Courts is annexed.

The legislative initiatives taken by the Government in the recent past for necessary legal and judicial reforms include amendments to the Negotiable Instruments Act, 1881 to clarify the jurisdictional issues and provide for centralization of cases against the same drawer, amendments to Arbitration and Conciliation Act, 1996 for time bound conclusion of arbitration proceedings and constitution of Commercial Courts, Commercial Division and Commercial Appellate Division in the High Courts for speedy disposal of high value commercial disputes. Further a broad based participative and transparent mechanism for appointment of judges in the High Courts and Supreme Court was created with the notification of 99th Constitutional (Amendment) Act, 2014 and Judicial Appointments Commission Act, 2014 on 13th April, 2015. The Supreme Court vide its order dated 16-10-2015 has however struck down these two enactments which had collectively established National Judicial Appointment Commission (NJAC).

In terms of the provisions contained in the Advocates Act, 1961, the Bar Council of India has framed necessary rules which inter-alia provide for standards of professional conduct and etiquette for the advocates. The government has impressed upon the Bar Council of India to improve the professional abilities and conduct of the members of the Bar.
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Annexure

Annexure referred to in Statement laid on the Table of the House in relation to reply to Lok Sabha Starred Question No.262 for answer on 17.12.2015

Comparative position of pendency of cases in Supreme Court, High Courts and Subordinate Courts

1. Pendency in Supreme Court
(Number of Cases)
As on 31.12.2012 As on 30.11.2015
66,692 58,879

2. Pendency in High Courts
(Number of Cases)
As on 31.12.2012 As on 31.12.2014
44.34 lakh 41.53 lakh

3. Pendency in District and Subordinate Courts
(Number of Cases)
As on 31.12.2012 As on 31.12.2014
2.68 crore 2.64 crore
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